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[We found the following lines in the American reprint of an English periodical called the "Metropolitan," and they appear so appropriate to lead the Letter from the accomplished daughter of the late lamented Mr. Wirt, on the last illness of her father, that we cannot do otherwise than insert them here:]

THE LAND OF THE BLEST.

"Dear mother, I ask for my father in vain—
Has he sought some far country, his health to regain,
Has he left our cold climate of frost and of snow,
For some warm sunny land, where the soft breezes blow?"

"Yes, yes, gentle boy, thy loved father has gone
To a climate where sorrow and pain are unknown;
His spirit is strengthen'd, his frame is at rest,
There is health, there is peace, in the Land of the Blest!"

"Is that land, my dear mother, more lovely than ours,
Are the rivers more clear, and more blooming the flowers,
Does summer shine over it all the year long,
Is it cheered by the glad sounds of music and song?"

"Yes, the flow'rs are despoil'd not by winter or night,
The well-springs of life are exhaustless and bright,
And by exquisite voices sweet hymns are address'd,
To the Lord who reigns over the Land of the Blest!"

"Yet that land to my father will lonely appear,
He shrunk from the gaze of a stranger while here;
From his foreign companions I know he will flee,
And sigh, dearest mother, for you and for me."

"My darling, thy father now rejoices to gaze
On the long-severed friends of his earliest days;
His parents have there found a mansion of rest,
And they welcome their son to the Land of the Blest."

"How I long to partake of such meetings of bliss,—
That land must be, surely, more happy than this;
On you, my kind mother, the journey depends—
Let us go to my father, his kindred and friends."

"Not on me, love; I trust I may reach that bright clime—
But in patience I stay till the Lord's chosen time,
And must strive, while awaiting His gracious behest,
To guide thy young steps to the Land of the Blest.

"Thou must toil through a world full of dangers, my boy—
Thy peace it may blight, and thy virtue destroy;
Nor wilt thou, alas! be withheld from its snares
By a father's kind counsels, a father's fond prayers.
Yet fear not—the God whose direction we crave,
Is mighty to strengthen, to shield, and to save;
And His hand may yet lead thee, a glorified guest,
To the home of thy father, the Land of the Blest."

THE LATE WILLIAM WIRT.

In their transit through life, many have shown with more splendor, but few have shed a more steady and benign light than the late William Wirt.

It was not Mr. Wirt's fortune—it is the lot of very few—to extend the boundaries of science; but he cultivated with enthusiasm, and embellished with taste, the wide domains of science and literature, bringing to light beauties which escaped the observation of intellects more comprehensive, probably, in their grasp, but less minute in their investigation. He certainly was endowed with an intellect of a high order; but, altho' it may with truth be said of him that "he touched nothing which he did not adorn," still the attributes of his mind were hardly as prominent as the amiable affections of his heart.

For one so highly gifted, and so justly distinguished, he was in a remarkable degree exempt from the ordinary crosses and vexations of genius. It can scarcely be supposed that he had no enemies: for no man, who possesses the talents to excite envy or jealousy, can exert his capacity without incurring the animosity of some—but malignity was either conciliated by his mildness, or, rendered impotent by the invincibility of his spotless character, turned away from the attack, with a consciousness that every attempt to inflict a wound upon Wirt would recoil with violence upon itself.

He is now no more!—But he has left behind him a reputation equally distinguished for talents, for patriotism, for glowing benevolence, and spotless integrity.

Fascinating as he was in the palmy days of his literary and forensic distinction, the last scene of his life was, of all, the most interesting and affecting. We shall give it as it is beautifully represented in the following Letter from one of his daughters, to his surviving sister. Those who are conversant with the style of Mr. Wirt, will discover in this letter of the daughter the genuine impress of the father's feelings and talents, modified only by the delicacy of the sex.

We shall not, by apologizing for its insertion, do injustice to the taste of our readers, to the incidents it narrates, or to the unaffected pathetic simplicity of a bereft daughter.

"Poor wanderers of a stormy day,
From wave to wave we're driven—
And *fancy's flash*, and *reason's ray*,
Serve but to light the troubled way:
There's nothing calm but Heaven!"

THE LETTER.

[Addressed to Mrs. Eliza Clarton, of Augusta, Georgia.]

WASHINGTON, February 22, 1834.
Saturday Afternoon.

My Dear Aunt: This is the first time my pen has ever traced this endearing appellation in reference to yourself, but, believe me, it is not the first time, by very many, that my heart has felt drawn towards you, with the yearning which it would naturally feel towards the only near surviving relative of my precious and sainted father; and now there is a sacredness in this feeling, which no other tie can give, and which will be enshrined in my heart until it shall cease to beat.

Your dear son, Judge C., who has indeed been to us the kindest of friends in this season of our deep affliction, interested us all very much, some few weeks ago, in an evening visit to my father, by narrating with how much care you treasured up every thing relating to your much loved brother, particularly every thing which threw light on his religious views and sentiments—and it is in the hope of affording you gratification and comfort, under this irreparable loss, that I sit down to give you as minute and detailed an account of the last illness and death of our dear and departed one, as the present confused and collapsed state of my mind will permit.

I cannot, dare not, dwell on the loss which his family has sustained in their Head, Husband, Father, and Household Priest; for when my thoughts revert to this aspect of the case, I feel as if my heart would break; I press my hand on it to still its rebellious risings, and raise my eyes and soul to the Hills whence cometh all our help; and indeed, my dear aunt, this help has been extended to us almost miraculously, for had I been told, two short weeks ago, that he who was the dearest and most absorbing object of our earthly affections, was so soon, so very soon, to be taken from us, methinks the sudden shock would have made us quit our hold of our Almighty Refuge, and driven us into wailing and despair. And yet, when the fiat came, and we knew it to be inevitable and irrevocable, God held us up, and dried our tears, and hushed our lamentations, and enabled us to stand around the dieing bed, to speak and to receive the words of consolation.

He whom we loved, and whom *the Lord loved*, (precious thought) was a picture of renovated health on the morning of Sunday the 9th inst.—so much so, that dear mother, at the breakfast table, said to him playfully—"You are looking so much more like yourself, my dear husband, than I have seen you for years, that I really think you ought to have your picture taken." On the previous evening, Saturday, he had been preparing himself for an argument on the following Monday, in a very important case, and had been in the Capitol library, examining authorities, in addition to those of his own office; and altogether expressed himself better satisfied with his preparations, than he had been for a long time; for in this, as in every thing else, his humility often made him undervalue himself so as to distress us.

Directly after breakfast, Sabbath morning, 9th inst., he assembled us as usual, in his chamber, at family prayers; and never did I hear a more solemn and fervent outpouring of the soul at the footstool of the Mercy Seat. He prayed "for the extension of the Redeemer's kingdom, with a holy earnestness; for his children present and absent; for his enemies if he had any; and for his friends every where; especially those who had not yet been brought to know and love the Saviour; finally, he prayed, that his own soul and that of those so dear to him, might be sprinkled afresh with pardoning blood, and that the ascended Saviour would, through the influence of his Holy Spirit, keep him and all of us in His fear, and enable us to walk in his commandments through life; sustain and cheer us in the hour of death, and at last receive us to himself, a re-united and blessed family, to worship forever around his throne, to the glory of God the Father, Son, and Holy Spirit."

His heart being thus attuned to worship God in his public ordinances, he walked with my sister Ellen, Alex'r. Randall of Annapolis, (the brother of my brother-in-law, Judge Randall, of Florida;) and myself to the Capitol, to hear the Chaplain, Mr. Stockton, preach. It was not actually raining, but so exceedingly damp, that some persons had their umbrellas up, to turn the drizzling moisture. It is to this walk that the cold, which terminated in his death, is attributed. Yet he had sometimes walked in as bad and even worse weather before, without serious injury; and the physicians had urged upon dear mother the absolute necessity of his taking exercise in all weather, except fast-falling; especially after breakfasting upon meats, instead of his usual diet of rice and milk, which was the case that morning. Therefore, although it was damp, yet, as the exercise seemed to be advisable, and he was anxious to go to church, (the very inclement weather having prevented him from doing so for three previous Sundays that we had been here,) it was decided that he might venture. And, though bitter pangs of self-reproach for having been accessary to his fatal cold, gave my beloved mother one of the most violent and agonizing nervous paroxysms I ever witnessed, yet she and all of us have, I trust, been brought to feel that this could not have happened without the special design and interposition of God, who accomplishes the most mighty ends by the instrumentality of means apparently totally inadequate to their fulfilment.

Mr. Stockton's text that morning was 1st Cor. 1st chapter, 23d, 24th verses: "We preach *Christ crucified*, unto the Jews a stumbling-block, and unto the Greeks foolishness; But unto them which are called, both Jews and Greeks, *Christ* the *power* of *God*, and the *wisdom of God*." And he did, indeed, prove most convincingly, that it was the *wisdom* of God, in falling upon the only plan which could, at the same time, satisfy and be concordant with his equal attributes of justice and mercy.—And the *power* of God, in accomplishing, by the instrumentality of One who was "despised and rejected of men," and of his few obscure and illiterate followers, the salvation of a world,—a work which no earthly monarch, however universal his empire, could ever accomplish. The subject was a sublime one; and it was treated with a force of argument, and a pathos of eloquence, which I have rarely if ever heard equalled. My dear father sat immediately behind my chair, so as occasionally to rest himself upon it, and I heard him more than once sob, in a sort of convulsed *sotto voce*, as was his habit when deeply affected: he ejaculated several times, too, his approbation and admiration of parts of the discourse; and on rising, when the service was closed, said to the gentleman next him—"A most capital preacher, sir—one of Nature's orators—he is a great favorite of mine, and goes straight to my heart." He stopped and shook hands with Mr. Stockton as we came out, making some kind inquires about his health, which were reciprocated. He and Ellen walked fast, and got home before me; and I found, when I went to his chamber, that he had taken off his coat, and put on his wrapper, not feeling well. By Mr. Randall's desire, however, he came down to the parlor, and shook hands with him, as he was to leave town the next day; and said "God bless you, sir—farwell!" This was the last time he ever left his room.

On returning from church, he asked mother to "look if he had cut his ear in shaving, as it felt painful." Mother examined it, and found no such mark, but a hard knot in the glands of the throat, just below the right ear—a swelling, as she presumed, from cold—and advised him to lie down and cover himself up warm, hoping that he would be relieved by perspiration. This was between two and three o'clock, and we then went down to dinner. A little before three o'clock, I came up, with my bonnet on, to go to church again, and kissed him. He said, "Tell your mother, my dear, that I feel very chilly, as if I were going to have an ague." She immediately ordered hot bricks to his feet, and additional covering, and sent for Dr. H—. When I came home he had a fever, but talked cheerfully; when I gave him a description of Mr. Stockton's evening discourse. After remaining silent a few moments, he said—"Wife, it will not do for me to expose myself in church as I do; I am a mere baby in the command of my sensibilities and nerves; I can scarcely refrain sometimes from tears, and indeed, I have frequently been obliged to relieve myself by giving way to them;" and, as he spoke, the same feeling seemed to overcome him. I said, what I think true, that "no Christian ought to be ashamed of intense feeling at the review of his own unworthiness, and of the vivid emotion of gratitude and love to the Saviour, which caused tears."

"But it is so unmanly, and people around don't know what to make of it."

His fever continued to be higher and hotter, and seemed to be aggravated rather than relieved by the warm applications which were prescribed, in the hope of forcing a perspiration—steaming his face, and bathing his feet in hot water, and, as a genuine vapor-bath could not be procured, laying hot bricks all along on both sides of him in his bed, from his feet upwards. His fever *raged* all night with an intensity which, mother says, she has never known with him; certainly for *fifteen years*, if ever. Next day, the whole right side of his face was much swollen.

On Thursday night I sat up with him: he rose twice in the night, with the assistance of dear mother and a servant, thinking it would make him feel more comfortable to change his posture a little while, and have his bed made: in doing so, he expressed his surprise at his extreme weakness, which was greater, he said, after those few days' illness, than after his long and exhausting attack at the springs last summer. The last time he rose, as he sat in the easy chair, he asked mother if she would "read the Bible to him?" She did so; and it was the 55th Psalm. In reading this, she omitted all those passages which relate more particularly to David's enemies, and read all the rest, which you know, was particularly applicable to himself; he seemed to feel it deeply, and after she had finished reading, she saw his lips moving in prayer. This was the last time he was able to listen to this precious volume, or to rise from his bed. Towards morning he became slightly delirious, and it was deemed advisable to call in another physician; and Dr. H——, a young physician here, who has great reputation for skill and talent in his profession, was sent for. Father, himself, said at first it was not worth while to consult another physician, but at last consented. That morning (Friday morning) he called mother to his bed-side, and, in the presence of my sister Ellen, gave certain directions "in case of his sudden death." He then seemed to speak with some difficulty, and in the course of that day, and throughout the next, talked wildly at intervals. His mind seemed chiefly to dwell on his law cases. He would call us to him by name, and then begin, as if he were addressing the Judges of the Supreme Court, carrying on a continuous argument for several sentences together.

The two Physicians consulted together, at 9 o'clock Monday morning, and decided to blister him around his right ear, which they did; afterwards, on both wrists and both limbs, from the ancles upwards; and finally his head was shaved and blistered. Forty leeches, also, were applied, two or three different times, to the left temple, and behind the left ear; yet these and all other remedies, were of no avail.

On Sunday and Monday he lay in a kind of lethargy, from which it was difficult to arouse him to swallow his medicine and food. Both eyes, too, were closed from the inflammation, and the right eye covered with a blister; but we continued bathing the left with warm milk and water, in hopes that it might possibly open.

When asked if he would swallow any thing, he always answered, "Yes, I'll try"—though it was with difficulty that he swallowed, towards the last, from the swelling and soreness of the mouth, tongue, and mucous membrane. His sense of hearing, however, never lost its acuteness until Monday evening. Dr. H—, thinking it must have done so, spoke to him in a loud tone of voice, and was gently rebuked by his saying, "Doctor, you are not speaking to a regiment of soldiers." He distinguished our voices easily, though his eyes were closed, and when one of his attached young friends and students, James C——, asked him, "Mr. Wirt, do you know James?" He replied, "To be sure I do."

Ellen's twin-sister, Rosa, now Mrs. Dr. Robinson, of Baltimore, came down with her husband on Saturday, having been informed by letters from us of his alarming illness. When she first kissed him, he said—"Why, my dear, how came you here?—High, high!" But at that time made no other remark. The next day, however, (Sunday, the 16th,) he asked, with some difficulty, for "*his Rose.*" And when she came to him, said, "My darling, God bless you!"

On Monday morning, we thought him dieing; and dear mother, unable any longer to control her pent up feelings, retired to another room and gave vent to them. The thought that he was indeed to die without looking on his family any more, taking leave of them, and expressing his own resignation, was insupportably agonizing.

But, as if to show the power of God, while she was thus abandoning herself to grief, the eye that had been so long closed, opened suddenly, as I hung over him, and fixed itself on me with a kindling intelligence which I had not seen since his first wanderings. "My father, do you know your Catharine?" "Yes." "Do you trust in God?" (raising my own eyes to Heaven, to make the question more significant.) "Yes," with solemnity, and raising his own eye in the same direction. I flew into the next room to communicate the intelligence to dear mother, and she calmed herself and returned with me. She approached the bedside—he looked at her, and said, "*Wife I am going before you!*" I feared this would overpower her; but God upheld her, and she answered meekly, "Yes, my beloved, you *are* going before me, and you will see our dear angels in Heaven, sooner than I shall. There are five of our children in Heaven now, waiting to receive you, and you leave five more on earth under my care—it will only be for a little while, and we, too, shall come and join you. Do not fear for us, who are left behind—God will take care of your widowed wife and fatherless children!" There was a struggle in his frame and heart, but he sought strength where he had never failed to find it, and it was given him. His eye next lighted on me—I kissed him, and asked—"My beloved father, is your soul at peace, now, stayed on Jesus?" "Yes." "Do you now feel the truth of the promise, "When thou walkest through the valley of the shadow of death, fear not—God will be with thee. His rod and his staff they shall comfort thee!" "Yes, oh yes!" raising his eyes to Heaven, with a mingled expression of faith, gratitude, and submission. His eye then fell on Rose—She kissed his hand, and bade "God bless you, my beloved father." Then on Ellen; and she did the same. He looked alternately once more on each of us as we stood around his bed, then raised his hand and eyes to Heaven, as if invoking a farewell blessing.

During this solemn and affecting scene, all had left the room, except his own immediate family.—At this crisis, however, our former Pastor, when we lived here, Mr. Post, (a meek and holy man, to whom father always bore a strong attachment, and for whom I had dispatched a hurried messenger, at the first sign of returning intelligence,) arrived; and with him there entered several of father's friends, old and young, to the number of fifteen, including the family. Mr. Post took his hand, and asked him, "if he was resigned to die now, if it pleased God to take him?" He answered, unhesitatingly, "Yes." "Then," said mother, "we resign you, my beloved, into the hands of God—He will take care of us in your absence, and not suffer us to want; and, at last, will re-unite us all—all, I trust, in Heaven." He struggled hard to speak, but the utterance was denied. Mr. Post then asked him several other questions, as to "the composed and happy state of his soul?" "His views of the plan of redemption through the Saviour?" "His faith in the atoning merits of Jesus for the pardon of all his sins, and for his salvation?" To all of which he replied in the affirmative. Mr. Post then asked him, "if it would be agreeable to him, that we should unite in offering a prayer for him?" He replied, with great vivacity "Yes," and nodded his head affirmatively, three times in quick succesion; thereby signifying the great pleasure the proposition afforded him.

We all instantly knelt down, as with one impulse, while the solemn appeal ascended to the Throne of Grace. It was a spectacle so sublime, that Angels might contemplate it with delight and awe. My father's eyes were raised to Heaven with the prayer. At one time Mr. Post prayed that, "If it was consistent with the intentions of the Almighty, his sick and suffering servant might be raised up from that bed of languishing, to the enjoyment of health, to be a further blessing to his family and friends, and an honor to his country and to the cause of God on earth." Immediately the eye was withdrawn from its imploring gaze upwards, a shudder passed over his frame, and he shook his head negatively, and, Mr. G—— insists, very audibly said, "No." But when Mr. Post closed with the prayer, that, "if God should take him now, he might be received into the mansions of Glory, to dwell, forever and ever, at the right hand of his God and Saviour; and that his family might be sustained and comforted in his departure," his hand and eyes were raised once more, and for the last time, to Heaven: and thenceforth motionless and at rest. Mr. Post pressed his hand in taking leave, saying he "would not fatigue him farther then, as the result of that interview was perfectly satisfactory to him; but would see him again."

It did seem as if God had, at that very moment, unclosed his eyes, once more, to look, for the last time on earth, upon his assembled family; to witness their resignation, and to cheer them by his own; and that the pressure upon the brain was, during this blest half hour, removed for the same benevolent purpose. The expression of his eye was not dim and wandering; but clear, firm, intelligent, beaming, heavenly. The voice, too, distinct and full of feeling, and the motion of the head and of the hand, as it was raised with an effort from the bed, and then dropped, not lifelessly, but reverentially, spoke in a manner not to be mistaken by those who witnessed it—"Thy will, Oh God, thy holy will be done—Lord Jesus into Thy hands I commend my spirit."

Throughout this lingering and painful sickness, uncomfortable as he must have felt from the pressure of the disease, and the repeated operations, for all the blisters drew,) he never uttered a murmuring word. Once, when his feet were immersed in hot poultices, he said, "Is this not enough to drive a man mad; to be between two fires, one at his head and the other at his feet!" Yet, when I asked him, not long afterwards, how he felt? He simply said, "Not well."

Such child-like submission I never witnessed, and such unmurmuring patience. On Monday morning the 17th, Dr. R——, after some efforts, succeeded in making him understand that he wished him to take another dose of medicine. His reply was, *I am a child, you may do as you please with me.*" But the last time they teased him to swallow some nourishment, he gently, and almost inaudibly, whispered, "*Let me be.*" My mother says she has often heard him express the opinion that "dying persons ought not to be disturbed in their last moments, by the importunities of their friends to bring them back to life; for that most probably the souls of such persons were then absorbed in the contemplations of eternity, and holding communion with the inhabitants of Heaven." We know not but his half emancipated soul was at that moment thus engaged, and it seemed almost cruel to awaken his wrapt spirit to consciousness.

When, with the restlessness of pain, he would throw the cover from his hands, and make an effort to reach far back with them, perhaps to indicate, by this mute gesture, the seat of pain, and dear mother would say, "For wife's sake, my beloved, do try to keep your dear hands warm," he would patiently resign them to be covered, sometimes saying, "Well, if it must be so"—but most generally in silence.

After the farewell interview with us, and with Mr. Post, which I have so minutely described, and which took place on Monday the 17th, he did not again unclose his eyes or speak. Once, afterwards, that night, as I sat by him holding his hand, and moistening his mouth with wine and water, and watching his very regular, but gradually diminishing breathing, he whispered, "*The door is open.*" I thought he might feel oppressed, (though there were not, at the time, more than two other persons besides myself in the room, which was large, airy, and cool,) and threw open the door to admit the air. But I think it highly probable that at that moment he had a glimpse of that Heaven upon which he was about to enter—the thought struck me at the time, that then he stood

"Where Moses stood,
And viewed the landscape o'er;
Nor Jordan's stream, nor death's cold flood,
Could fright him from the shore."

All night we watched, expecting every breath to be the last; and yet, although his hands were cold and clammy, and his pulse almost, and sometimes quite, imperceptible; yet the hot bricks seemed to keep his feet warm to the last, and his breathing was as tranquil as that of a sleeping child.

There was a favorite bird of dear mother's in his room, (a young mocking bird,) which she had brought with her from Baltimore. It is, you know, the habit of this bird to cease singing all winter; and it is only when the bright spring sun disperses the clouds and glooms of winter, that he begins once more to tune his voice. Monday was a dark, rainy day, and the corner of the chamber in which the bird's cage hung, was also dark. No sooner had Mr. Post concluded his solemn prayer, than we were all surprised to hear a strain of the sweetest melody warbled by this little bird; and this continued, at intervals, for the space of an hour. It did, indeed, sound like the music of Heaven, in answer to our prayer; and was as soothing as it was novel and unexpected.

It was not until 11 o'clock, Tuesday morning the 18th, that the last breath was drawn. We all stood around him, and I held his left hand between both of my own. So faint and so interrupted was his breathing for the last five minutes, that it was difficult to know when it did cease. Once I held my breath, thinking it was all over; but, after a short interval, there came one more feeble flickering respiration, and then——there was rest until the resurrection morn! At that instant, the sun, which had been all the morning veiled in clouds, burst into the room with full meridian splendor; and the same little bird, which had been since the thrilling music of the preceding day hanging silent and unobserved in his cage, struck up a requiem note, so subdued and so sweet, that it might well nigh be mistaken for the rustling of an Angel's wing.

My poor dear mother threw herself into our arms, and exclaimed, "The seal of happiness to him, but of misery to us!"

SUNDAY MORNING, February 23.

In my father's late memorandum book, are copied these two verses—the first in his own hand writing, and the last in that of dear Ellen's, who wrote it, at his request, last summer, at the White Sulphur Springs of Virginia, where he was lying sick on his bed:—

First verse.—"Set a watch, O Lord, before my mouth. Keep the door of my lips."—Psalm cxli, v. 3.

Second verse.—"Follow peace with all men, and holiness, without which no man shall see the Lord."

His pocket book also contains, instead of bank-notes, many little pieces of paper, on which he had, at different periods, written extracts from the sacred volume, of precept and of promise, which he always wore near his bosom as his treasure. And it was to him, and it ever shall be, "a treasure laid up for him in heaven, where neither moth nor rust doth corrupt, and where thieves do not break through and steal," and this treasure may no man take from him.

It was often one of his [illegible] delights to put down on paper the pious emotions of his soul; and these addresses do not fall very far short of those of his prototype, the royal penman of Israel. These, and all his other writings, as well as those which have been published, as his letters to his family and friends, his addresses (written at Niagara, Boston, the [illegible] Virginia, during which are beautifully [illegible] paternal affectionate, &c. &c. it is the purpose of his dear partner to collect together in some [illegible] form, which may, perhaps, by [illegible] circulation, contribute to the benefit of [illegible] future generations, and thus, even [illegible]

dound to the glory of that God whom, while on earth, it was his chief delight to honor and serve.

And now, my dear aunt, shall we mourn for this loved one, as those who have no hope?—Shall we not rather rejoice that a spirit so lofty, and so pure and holy, that the breath of dishonor would have wounded mortally;—to whom the toils and cares of struggling for a subsistence for those who were dependent on his daily exertions, were onerous, because they distracted his thoughts from Heaven;—the measure of those whose earthly fame was full—and whose tender affections had been wrung by the death of his beloved children, and uprooted from this earth—shall we not rejoice that all sorrow and suffering for him is at an end, all tears forever wiped from his eyes; and his delighted spirit, unfettered from this earthborn coil, is revelling in the beatitude of Heaven; bathing in the pure stream which flows around the throne of the Lamb; and that the mighty intellect whose grasp imperfect human science could not satisfy, is now ranging among worlds and adamantine spheres, communing with the sages of classic days, and with the Patriarchs, Apostles, and the Fathers of the Church!

It is a striking coincidence, that the day of his death, the 18th of February, was also that of the great Luther.

There is a moral sublimity in his life, in his death, and in the assurance of where his spirit now is, that I pray God may sink deeply into the hearts of all he has left behind; and may we also be ready to join him when the summons shall come to us.

SUNDAY AFTERNOON.

We are in the midst of the confusion of preparing to leave this city—the scene, once, of so much happiness, lately of so much anguish. It will now ever be a consecrated spot to us; for here rest the mortal remains of him who was our earthly idol. The remains of my sister Agnes are to be brought from the vault in Baltimore, and placed by his side.

No doubt Judge Clayton has sent you all the papers containing accounts of the last honors paid him who was worthy of all honor.

This event has exhibited, perhaps more strikingly than any thing else could, the deep and universal attachment which he had excited. Young and old, rich and poor, learned and illiterate, noble and humble, all, all, crowded the house with kind and anxious inquiries until the last answer was given, which seemed to clothe the whole city and country in mourning. Unobtrusive as was his piety, it was yet so consistent and so mingled with all the affairs of life, that it could not but be manifest to all associated with him. A little anecdote illustrating this, occurs to me at this moment, which I will repeat. When we first arrived here, 11th January, and took up our lodgings, we were prevented by an accident from having our private table, as had been stipulated; and we took our meals with the family with whom we boarded—a very genteel one, by-the-by;—they are not in the habit of *saying grace*, which father bore several days without comment; but after the second day, he consulted us what was to be done about it, and, though there was a considerable struggle in his mind lest he should appear officious or over scrupulous, he at length came to the conclusion that it was his duty to bear this cross. On entering the breakfast room next morning, he greeted the family with his usual winning smile, and they stood respectfully for him to be first seated—he then spoke, and said: "Before we sit down, I wish to ask you, master and mistress of the house, if you have any objection to my saying grace at our meals? It has always been my habit in my own family, and I feel as if I could not enjoy my meals without it." Of course they gratefully acceded to it; such an example, from one entitled to so much respect, I hope they will imitate. I see him now vividly before me, as his manly and majestic form bent lowly over the table, his eloquent hand spread in supplication, while his waving curls were thrown back by the movement from his intellectual and beautiful forehead. Such a man, in such an attitude, might well impress every beholder with veneration and love!

When the undertaker came to perform his duty, I am told my father's weeping servants were giving him an account of his peaceful and glorious exit: "when the angels came down from Heaven to receive him," said one, "the sun shone out, and the bird began to sing." "Yes," said another, "I have been in his service these many years, and seen how he lived—the Bible and prayer were his daily food, and never was there a kinder master than I have had—it was right that he should die the death of the righteous, and I only hope my last end may be like his."

My mother sends you a sister's love, with the enclosed profile likeness of my father, which, in our opinion, is infinitely better than any which has been taken.—The features are exact, even to the last of his life, and it only wants the scintillation of genius and feeling to make the resemblance complete—he himself thought it so good, that he left each of his children one from the same plate.—When his works are completed, you, of course, my dear aunt, shall have the first copy.

We leave here in a day or two, for Baltimore, to wind up our affairs there as speedily as possible, and then proceed with our uncle, Judge C——, (who writes us word he will meet us in Baltimore,) to our future home in Richmond.

If it will interest you, my dear aunt, I will continue to write you an account of our family and proceedings.

This is indeed a long letter, but the interest of the subject will justify it with you, I am sure.

Dear mother, Rosa, and Ellen, unite in warm affection for you, together with,

Respectfully and affectionately,
Your young Niece,
CATHARINE G. WIRT.

Mrs. Eliza Clarton, Augusta, Ga.

CHARLOTTE, (N. C.) April 5, 1834.

Rich Ore.—We are informed that the mine owned by the Messrs. Lewis, sixteen miles southeast of this place, is now yielding, with the work of four hands and a one-horse mill, from seven to nine hundred dwts. of gold, in the quicksilver, per day—averaging from two to three hundred dwts. of pure gold. On Friday week, they obtained from one day's grinding, eleven hundred dwts. of gold in the quicksilver—making 366⅔ dwts. of pure gold for that day's work. Phifer's mine, in the same neighborhood, and with the same force, is yielding about the same.

☞ *A Royal Abstinent.*—The Crown Prince of Sweden has lately presided at a Temperance Meeting, and declared himself the Patron of the Stockholm Temperance Society.

THE PRESIDENT'S PROTEST.

[Sent to the Senate on Thursday the 17th April, 1834.]

To the Senate of the United States:

It appears, by the published journal of the Senate, that on the 26th of December last, a resolution was offered by a member of the Senate, which, after a protracted debate, was, on the 28th day of March last, modified by the mover, and passed by the votes of twenty-six Senators out of forty-six,* who were present and voted, in the following words, viz.

"*Resolved*, That the President, in the late Executive proceedings in relation to the public revenue, has assumed upon himself authority and power not conferred by the Constitution and laws, but in derogation of both."

Having had the honor, through the voluntary suffrages of the American people, to fill the office of President of the United States during the period which may be presumed to have been referred to in this resolution, it is sufficiently evident that the censure it inflicts was intended for myself.—Without notice, unheard and untried, I thus find myself charged, on the records of the Senate, and in a form hitherto unknown in our history, with the high crime of violating the laws and Constitution of my country.

It can seldom be necessary for any Department of the Government, when assailed in conversation, or debate, or by the strictures of the press or of popular assemblies, to step out of its ordinary path for the purpose of vindicating its conduct, or of pointing out any irregularity or injustice in the manner of the attack. But when the Chief Executive Magistrate is, by one of the most important branches of the Government, in its official capacity, in a public manner, and by its recorded sentence, but without precedent, competent authority, or just cause, declared guilty of a breach of the laws and Constitution, it is due to his station, to public opinion, and to a proper self-respect, that the officer thus denounced should promptly expose the wrong which had been done.

In the present case, moreover, there is even a stronger necessity for such a vindication. By an express provision of the Constitution, before the President of the United States can enter on the execution of his office, he is required to take an oath or affirmation in the following words:

"I do solemnly swear (or affirm) that I will faithfully execute the office of President of the U. States; and will, to the best of my ability, preserve, protect, and defend, the Constitution of the United States."

The duty of defending, so far as in him lies, the integrity of the Constitution, would indeed have resulted from the very nature of his office; but by thus expressing it in the official oath or affirmation, which, in this respect, differs from that of every other functionary, the founders of our republic have attested their sense of its importance, and have given to it a peculiar solemnity and force.—Bound to the performance of this duty by the oath I have taken, by the strongest obligations of gratitude to the American people, and by the ties which unite my every earthly interest with the welfare and glory of my country, and perfectly convinced that the discussion and passage of the abovementioned resolution were not only unauthorized by the Constitution, but in many respects repugnant to its provisions and subversive of the rights secured by it to other co-ordinate departments, I deem it an imperative duty to maintain the supremacy of that sacred instrument, and the immunities of the department entrusted to my care, by all means consistent with my own lawful powers, with the rights of others, and with the genius of our civil institutions. To this end, I have caused this, my most *solemn protest* against the aforesaid proceedings, to be placed on the files of the Executive Department, and to be transmitted to the Senate.

It is alike due to the subject, the Senate, and the people, that the views which I have taken of the proceedings referred to, and which compel me to regard them in the light that has been mentioned, should be exhibited at length, and with the freedom and firmness which are required by an occasion so unprecedented and peculiar.

Under the Constitution of the United States, the powers and functions of the various departments of the Federal Government, and their responsibilities for violation or neglect of duty, are clearly defined, or result by necessary inference. The Legislative power, subject to the qualified negative of the President, is vested in the Congress of the United States, composed of the Senate and House of Representatives. The Executive power is vested exclusively in the President, except that, in the conclusion of treaties and in certain appointments to office, he is to act with the advice and consent of the Senate. The Judicial power is vested exclusively in the Supreme and other Courts of the United States, except in cases of impeachment, for which purpose the accusatory power is vested in the House of Representatives, and that of hearing and determining, in the Senate. But although, for the special purposes which have been mentioned, there is an occasional intermixture of the powers of the different departments, yet with these exceptions, each of the three great departments is independent of the others in its sphere of action; and, when it deviates from that sphere, is not responsible to the others, further than it is expressly made so in the Constitution. In every other respect, each of them is the coequal of the other two, and all are the servants of the American People, without power or right to control or censure each other in the service of their common superior, save only in the manner and to the degree which that superior has prescribed.

The responsibilities of the President are numerous and weighty. He is liable to impeachment for high crimes and misdemeanors, and, on due conviction, to removal from office, and perpetual disqualification; and notwithstanding such conviction, he may also be indicted and punished according to law. He is also liable to the private action of any party who may have been injured by his illegal mandates or instructions, in the same manner and to the same extent as the humblest functionary.—In addition to the responsibilities which may thus be enforced by impeachment, criminal prosecution, or suit at law, he is also accountable at the bar of public opinion for every act of his administration. Subject only to the restraints of Truth and Justice, the free people of the United States have the undoubted right, as individuals or collectively, orally or in writing, at such times and in such language and form as they may think proper, to discuss his official conduct, and to express and promulgate their opinions concerning it. Indirectly, also, his conduct may come under review in either branch of the Legislature, or in the Senate when acting in its Executive capacity, and, so far as the executive or legislative proceedings of these bodies may require it, it may be examined by them. These are believed to be the proper and only modes in which the President of the United States is to be held accountable for his official conduct.

Tested by these principles, the resolution of the Senate is wholly unauthorized by the Constitution, and in derogation of its entire spirit. It assumes that a single branch of the Legislative Department may, for the purposes of a public censure, and without any view to legislation or impeachment, take up, consider, and decide upon, the official acts of the Executive. But in no part of the Constitution is the President subjected to any such responsibility; and in no part of that instrument is any such power conferred on either branch of the Legislature.

The justice of these conclusions will be illustrated and confirmed by a brief analysis of the powers of the Senate, and a comparison of their recent proceedings with those powers.

The high functions assigned by the Constitution to the Senate, are in their nature either Legislative, Executive, or Judicial. It is only in the exercise of its Judicial powers, when sitting as a Court for the trial of Impeachments, that the Senate is expressly authorized and necessarily required to consider and decide upon the conduct of the President, or any other public officer. Indirectly, however, as has already been suggested, it may frequently be called on to perform that office. Cases may occur, in the course of its Legislative or Executive proceedings, in which it may be indispensable to the proper exercise of its powers, that it should inquire into, and decide upon, the conduct of the President or other public officers; and in every such case, its constitutional right to do so is cheerfully conceded. But to authorize the Senate to enter on such a task in its Legislative or Executive capacity, the inquiry must actually grow out of and tend to some Legislative or Executive action; and the decision, when expressed, must take the form of some appropriate Legislative or Executive act.

The resolution in question was introduced, discussed, and passed, not as a joint, but as a separate resolution. It asserts no legislative power; proposes no legislative action; and neither possesses the form nor any of the attributes of a legislative measure. It does not appear to have been entertained or passed, with any view or expectation of its issuing in a law or joint resolution, or in the repeal of any law or joint resolution, or in any other legislative action.

Whilst wanting both the form and substance of a legislative measure, it is equally manifest that the resolution was not justified by any of the Executive powers conferred on the Senate. These powers relate exclusively to the consideration of treaties and nominations to office; and they are exercised in secret session, and with closed doors. This resolution does not apply to any treaty or nomination, and was passed in a public session.

Nor does this proceeding in any way belong to the class of incidental resolutions which relate to the officers of the Senate, to their chamber, and other appurtenances, or to subjects of order, and other matters of the like nature—in all which, either House may lawfully proceed, without any cooperation with the other, or with the President.

On the contrary, the whole phraseology and sense of the resolution seem to be judicial. Its essence, true character, and only practical effect, are to be found in the conduct which it charges upon the President, and in the judgment it pronounces on that conduct. The resolution, therefore, though discussed and adopted by the Senate, in its legislative capacity, is, in its office, and in all its characteristics, essentially judicial.

That the Senate possesses a high judicial power, and that instances may occur in which the President of the United States will be amenable to it, is undeniable. But under the provisions of the Constitution, it would seem to be equally plain that neither the President nor any other officer can be rightfully subjected to the operation of the judicial power of the Senate, except in the cases and under the forms prescribed by the Constitution.

The Constitution declares that "the President, "Vice President, any all civil officers of the United "States, shall be removed from office on impeach-"ment for, and conviction of treason, bribery, or other high crimes and misdemeanors"—that the House of Representatives "shall have the sole power of impeachment"—that the Senate "shall have the sole power to try all impeachments"—that "when sitting for that purpose, they shall be on oath or affirmation"—"that when the President of the United States is tried, the Chief Justice shall preside"—that "that no person shall be con-"victed without the concurrence of two-thirds of "the members present"—and that "judgment "shall not extend further than to removal from "office, and disqualification to hold and enjoy any "office of honor, trust, or profit under the United "States."

The resolution above quoted, charges, in substance, that, in certain proceedings relating to the public revenue, the President has usurped authority and power not conferred upon him by the Constitution and laws, and that in doing so he violated both. Any such act constitutes a high crime—one of the highest, indeed, which the President can commit—a crime which justly exposes him to impeachment by the House of Representatives, and upon due conviction, to removal from office, and to the complete and immutable disfranchisement prescribed by the Constitution.

The resolution, then, was in substance an impeachment of the President; and in its passage, amounts to a declaration by a majority of the Senate, that he is guilty of an impeachable offence. As such, it is spread upon the journals of the Senate—published to the nation and to the world—made part of our enduring archives—and incorporated in the history of the age. The punishment of removal from office and future disqualification, does not, it is true, follow this decision; nor would it have followed the like decision, if the regular forms of proceeding had been pursued, because the requisite number did not concur in the result. But the moral influence of a solemn declaration, by a majority of the Senate, that the accused is guilty of the offence charged upon him, has been as effectually secure as if the like declaration had been made upon an impeachment expressed in the same terms. Indeed, a greater practical effect has been gained, because the votes given for the resolution, though not sufficient to authorize a judgment of guilty on an impeachment, were numerous enough to carry that resolution.

That the resolution does not expressly alledge that the assumption of power and authority, which it condemns, was intentional and corrupt, is no answer to the preceding view of its character and effect. The act thus condemned, necessarily implies volition and design in the individual to whom it is imputed, and, being unlawful in its character, the legal conclusion is, that it was prompted by improper motives, and committed with an unlawful intent. The charge is not of a mistake in the exercise of supposed powers, but of the assumption of powers not conferred by the Constitution and laws, but in derogation of both, and nothing is suggested to excuse or palliate the turpitude of the act. In the absence of any such excuse, or palliation, there is only room for one inference; and that is, that the intent was unlawful and corrupt. Besides, the resolution not only contains no mitigating suggestion, but, on the contrary, it holds up the act complained of, as justly obnoxious to censure and reprobation; and thus as distinctly stamps it with impurity of motive, as if the strongest epithets had been used.

The President of the United States, therefore, has been, by a majority of his constitutional triers, accused and found guilty of an impeachable offence: but in no part of this proceeding have the directions of the Constitution been observed.

The impeachment, instead of being preferred and prosecuted by the House of Representatives, originated in the Senate, and was prosecuted without the aid or concurrence of the other House. The oath or affirmation prescribed by the Constitution, was not taken by the Senators; the Chief Justice did not preside; no notice of the charge was given to the accused; and no opportunity afforded him to respond to the accusation, to meet his accusers face to face, to cross examine the witnesses, to procure counteracting testimony, or to be heard in his defence. The safeguards and formalities which the Constitution has connected with the power of impeachment, were doubtless supposed, by the framers of that instrument, to be essential to the protection of the public servant, to the attainment of justice, and to the order, impartiality, and dignity of the procedure. These safeguards and formalities were not only practically disregarded, in the commencement and conduct of these proceedings, but, in their result, I find myself convicted, by less than two-thirds of the members present, of an impeachable offence.

In vain may it be alledged, in defence of this proceeding, that the form of the resolution is not that of an impeachment, or of a judgment thereupon; that the punishment prescribed in the Constitution does not follow its adoption, or that, in this case, no impeachment is to be expected from the House of Representatives. It is because it did not assume the form of an impeachment, that it is the more palpably repugnant to the Constitution; for it is through that form only that the President is judicially responsible to the Senate; and though neither removal from office nor future disqualification ensues, yet it is not to be presumed that the framers of the Constitution considered either or both of those results as constituting the whole of the punishment they prescribed. The judgment of *guilty* by the highest tribunal in the Union; the stigma it would inflict on the offender, his family and fame; and the perpetual record on the journal, handing down to future generations the story of his disgrace, were doubtless regarded by them as the bitterest portions, if not the very essence, of that punishment. So far, therefore, as some of its most material parts are concerned, the passage, recording, and promulgation of the resolution, are an attempt to bring them on the President, in a manner unauthorized by the Constitution. To shield him and other officers who are liable to impeachment, from consequences so momentous, except when really merited by official delinquencies, the Constitution has most carefully guarded the whole process of impeachment. A majority of the House of Representatives must think the officer guilty, before he can be charged. Two-thirds of the Senate must pronounce him guilty, or he is deemed to be innocent. Forty-six Senators appear, by the journal, to have been present when the vote on the resolution was taken. If, after all the solemnities of an impeachment, thirty of those Senators had voted that the President was guilty, yet would he have been acquitted; but, by the mode of proceeding adopted in the present case, a lasting record of conviction has been entered up by the votes of twenty-six Senators, without an impeachment or trial; whilst the Constitution expressly declares that, to the entry of such a judgment, an accusation by the House of Representatives, a trial by the Senate, and a concurrence of two-thirds in the vote of guilty, shall be indispensably prerequisite.

Whether or not an impeachment was to be expected from the House of Representatives, was a point on which the Senate had no constitutional right to speculate, and in respect to which, even had it possessed the spirit of prophecy, its anticipations would have furnished no just grounds for this procedure. Admitting that there was reason to believe that a violation of the Constitution and laws had been actually committed by the President, still it was the duty of the Senate, as his sole constitutional judges, to wait for an impeachment until the other House should think proper to prefer it. The members of the Senate could have no right to infer that no impeachment was intended. On the contrary, every legal and rational presumption on their part ought to have been, that, if there was good reason to believe him guilty of an impeachable offence, the House of Representatives would perform its constitutional duty by arraigning the offender before the justice of his country. The contrary presumption would involve an implication derogatory to the integrity and honor of the Representatives of the people. But suppose the suspicion thus implied were actually entertained, and for good cause, how can it justify the assumption by the Senate of powers not conferred by the Constitution?

It is only necessary to look at the condition in which the Senate and the President have been placed by this proceeding, to perceive its utter incompatibility with the provisions and the spirit of the Constitution, and with the plainest dictates of humanity and justice.

If the House of Representatives shall be of opinion that there is just ground for the censure pronounced upon the President, then will it be the solemn duty of that House to prefer the proper accusation, and to cause him to be brought to trial by the constitutional tribunal. But in what condition would he find that tribunal? A majority of its members have already considered the case, and have not only formed but expressed a deliberate judgment upon its merits. It is the policy of our benign systems of jurisprudence, to secure, in all criminal proceedings, and even to the most trivial, litigatious, a fair, unprejudiced, and impartial trial. And surely it cannot be less important that such a trial should be secured to the highest officer of the Government.

[To be concluded next week.]

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* *Yeas*—Messrs. Bibb, Black, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Kent, Knight, Leigh, Mangum, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Tyler, Waggaman, Webster—26.

Nays—Messrs. Benton, Brown, Forsyth, Grundy, Hendricks, Hill, Kane, King of Ala., King of Ga., Linn, M'Kean, Moore, Morris, Robinson, Shepley, Tallmadge, Tipton, White, Wilkins, Wright—20.

FIAT JUSTITIA RUAT CŒLUM.

Western Carolinian.

SALISBURY:
SATURDAY.....MAY 17, 1834.

☞ We commence, to-day, the publication of the celebrated "Protest," which, on account of its great length, we are compelled to divide.

This is an artful, specious paper, well calculated to mislead the understanding of some, and to operate upon the sympathy of others. We consider it, and so do all who are not more devoted to selfish purposes, and the service of *one man*, than to the integrity of the Government, a most flagrant attempt to bring odium upon the Senate, to prostrate that peculiar guardian of State Rights, destroy the main check upon the large States, and, with it, the principal barrier to a perfect consolidation of power in the hands of the Executive.

In this, its true light, it demands the serious attention of every American, and should be investigated in the same manner that a jury examines the charge of a high crime against an individual, "without fear, favor, or affection."

What is the issue put before the country? This should be clearly understood before the trial commences. In few words, it is, whether "the President, in the late Executive proceedings in relation to the public revenue," (the removal of the deposites,) has or has not "assumed upon himself authority and power not conferred by the Constitution and Laws, but in derogation of both."

The Senate of the United States has said that he *has* assumed such power: the President denies the charge, appeals to the People, and, strange to say, in his very defence, (as it is improperly called) while denying that *he* has exercised unlawful power, he claims the right to powers *infinitely more enormous* than those he was charged with assuming; and, in the same breath that he accuses the Senate of unconstitutional conduct in entering upon *their own Journals* a resolution disapproving *his* acts, he demands of them to place upon the same Journals *his accusation against them!*

We entrent our countrymen to ponder well this new and monstrous claim of power—this bold attempt to degrade, and of course to destroy, the only feature of the General Government which proclaims the true origin and nature of our Confederation—that it is an union of Independent States. Be not misled by the desperate resort, worthy only of a miserable demagogue, to the abused maxim that a majority ought to govern! True it is that in the House of Representatives a majority of the People of the United States *do decide* all questions properly before that body, because there each State is represented according to its population. But not so in the Senate.—In that body the *States* are represented as equal Sovereignties, the smallest being entitled to as much power, in the Senate, as the largest. This is the great security of the small States; without it, the absolute majority in the House would run over them; without this, let it be remembered, our present Constitution never would have been adopted. The different States were supposed to have different interests; and therefore it was that equal power was reserved by them in one branch of Congress, where a majority of *States*, and not of *People*, decide political questions. Were it otherwise, five States might pass what laws they pleed—for, out of the 240 members in the House, five of the States send 121, which is a majority.

But, to justify himself, the President attempts to show that a majority of the *States* are in favor of his conduct. He cites resolutions of the Legislatures of three, to show that the Senators from those States did not represent the will of their constituents. Does he believe that a majority of members of the Legislatures always represent the will of a majority of the People! He and his party did not think so in reference to the last Virginia Legislature. That body passed resolutions *disapproving* his conduct, and instructing the Senators from the State to vote in opposition to it: one of those Senators was so confident the Legislature had misrepresented the will of the *People*, that he resigned his seat, and appealed to them; but they have sustained the Legislature. The President was evidently deceived there; and how does he know but he may be deceived as to public sentiment in Maine, New Jersey, and Ohio? But, suppose him to be right in that particular, is it becoming in him, as President of the United States, to arraign Senators before their constituents, charge them with infidelity to their trusts, and issue an *electioneering "Protest"* to put them down? What other President ever dreamed of such impertinent interference in the concerns of the States? Who but Andrew Jackson would dare thus boldly to enter the lists and attempt to control the votes of Senators by intimidation?

If the President is to be the sole judge of the will of the People, and of the expediency and constitutionality of laws, let us at once abolish the mockery of Congress and the Judiciary, and proclaim him King in law, as he is in fact.

Fearful that he might not succeed, by argument, to get his arbitrary conduct approved by the People, he has made an appeal to their sympathies and to their feelings and passions. This is the last stale artifice of every usurper. Does he suppose that, in the contemplation of *his* scars, the Freemen of the United States can look with indifference upon the wounds he has inflicted upon the Constitution of their country? Did he fight their battles for the preservation of *their liberty*, or for his *own glory and aggrandisement?*

What does it matter, to the People, whether George or William of England, or Andrew of Tennessee, be their King? Would a yoke made of native *Hickory* bear more gently upon our necks than one manufactured out of the Royal Oak of England?

We conjure you, fellow-citizens, to look seriously and steadily upon the present aspect of your Government. It is ominous to your rights, to all the privileges you enjoy as Freemen, as Republicans; and it admo-

nishes you, if you would preserve your noble institutions derived from venerated ancestors—if you would transmit them, in their original beauty and strength, to your posterity—you must meet at once, you must overcome, the power that would wrest from you the inestimable inheritance.

Fortunately there is one citadel still in possession of a gallant band—a Spartan band—standing in the straits between the invader and the Constitution. This band is the fearless Senate. Stand by them in their resolute resistance!—cheer and encourage them with your approbation!—and, if need be....if your petitions continue to be spurned, and the usurper continue his attacks upon the Constitution....then let him know that *you* are the masters!—that, if *he* will not be *entreated, YOU WILL BE OBEYED!*

This is no time to deal in the gentle, honied accents of effeminate submissiveness—it is not even a time for indifference and quiescence: the danger is imminent, and we must act at once, or, if not act, we must be prepared to conduct as Freemen ought.

Listen not to the deceitful syren voice of those who cry "Peace! Peace!" when there is no peace. Heed them not when they tell you that there is no danger to be apprehended from Andrew Jackson! What is he?—Is he any thing more than human nature?—Is he greater than the Prophets, greater than the Apostles?

Do you dread excitement? There is much more danger in apathy! What great blessing was ever acquired by apathy? Our Independence was not; nor can it be so maintained. Confidence is the ally of despotism—vigilance and jealousy are the sentinels of freedom. "Best safety lies in fear,"—not in cowardly fear, but distrust; and he is an enemy who would lull you to repose when the engines of destruction are planted against the last constitutional rampart of your free Republican institutions.

THE PROTEST REJECTED!

It will be seen, by a reference to the proceedings of the Senate, in a succeeding column, that that body has disposed of His Majesty's "Protest" in the only manner becoming them as Freemen, the Representatives of Sovereign States.

Finding that the case was going against his Royal *Protestant* Master, Mr. Pot-House-Forsyth attempted to carry up an appeal to the States, as appears by the following resolutions offered by him; but his schemes failed, and the Constitutionalists triumphed.

"1. *Resolved*, That the Message of the President, protesting against the resolution of the Senate, of the 28th of March, be entered on the Journals according to his request.

"2. *Resolved*, That, leaving to the States, to whom the Senate is alone responsible, to judge whether the resolution complained of is or is not within the constitutional competency of this body, and called for by the present condition of public affairs, an authenticated copy of the original resolution, with a list of the ayes and noes, of the President's Message, and of those resolutions, be prepared by the Secretary, and transmitted by the Vice-President, to the Governor of each State of the Union, to be by him laid before the Legislatures at their next session, as the only authority authorized to decide upon the opinions and conduct of the Senators respectively."

As soon as we get through with the "Protest," we shall publish some of the leading speeches in the Senate, exposing its enormous claims, and showing them to be unparalleled by any that have been asserted by a King of England since the arbitrary conduct of the Stuarts cost one of them (Charles I) his *head*, and ultimately carried the British Crown into another family.

☞ "The Government" has become, of late, so fruitful in strange and uncommon productions—some of them of a *non-descript* kind—that we find it impossible to keep pace with it. We have now on hand literally a *heap* of these curious commodities, which we shall exhibit with all the despatch practicable without cheating our readers of the miscellaneous matter it is our duty to give.

Another quarrel between the President and the Senate has lately been disclosed. On the 17th of December, the President sent a message to that body, recommending the following gentlemen as Directors of the United States Bank, viz. James A. Bayard, Peter Wager, Henry D. Gilpin, John T. Sullivan, and Hugh McElderry. Mr. Bayard alone was approved; the others were rejected.

On the 11th of March he sent another Message, renominating the same set, and intimating that, if the Senate would not confirm *their* appointment, he would not name any others! Here was another daring attempt to exercise arbitrary power: but the Senate is not quite so tame as the other House—they again refused to concur in the appointment of men who were in their judgment unfit for the trust; and the King must now either yield a little of his pretensions, or the Government will be without representatives in the Bank Directory!

But we are prepared to see another retreat of the Royal forces: the late demonstrations of the Whigs, from Passamaquoddy Bay to the Gulf of Mexico, have made their opponents a little more cautious; the Globe, which is chief-trumpeter to *the* party, has sounded a truce, and ventured upon a presumption that "*other Directors will be nominated as soon as a proper selection can be made.*"

Well done, independent high-minded Senators!—You deserve the thanks of your country; and whether or not you succeed in defending the Constitution, you (those at least who are opposed to the usurper) will acquire imperishable renown for the noble stand you have taken in this hour of peril.

HARD TIMES.

Corn is now worth one dollar per bushel in this place, and hard to get at that. It is uncommonly scarce in all the upper country, where usually it is abundant. It has never, but once, within our memory, been so high here. In 1817 it sold, we believe, as high as $1 25—but that was hardly as high as 50 cents now, if we take into consideration the redundancy of the circulating medium then, and its extreme scarcity at the present time. Many poor families are in a state of actual suffering, for they have not the "ways and means" of going any distance in search of grain; and those farmers in the country, who had it to spare, have already disposed of their surplus.

It is said that Corn may be had, as yet, in abundance, up the Yadkin. Those who have spare capital, would act, if not prudently, at least generously, by contributing something to collect a supply at this place to be distributed to the poor on such terms as would tend to alleviate distress without encouraging idleness.

☞ We have received, too late for insertion this week, an interesting letter from our Washington Correspondent. He confirms the report that we had heard, that the President was compelled, by a threatened desertion of friends, to retract part of the PROTEST.

He further says that another Proclamation is expected! "His Excellency" has as great a mania for manifestoes as the celebrated knight of the soap and razor of Gotham—the Baron Huggins.

FOR THE WESTERN CAROLINIAN.

STATE OF N. CAROLINA—IREDELL COUNTY.

Superior Court of Law—Spring Term, 1834.

We the undersigned, Grand-Jurors for said County, believe that the important and threatening crisis in our political affairs demands that the People, individually and in bodies, should speak aloud to their agents, and more especially since the President of the United States has submitted various grave matters of controversy between himself and the Senate of the United States, to the direct decision of the People. Hoping that every expression of public opinion will have some effect upon our agents and representatives, and in answer to the appeal which the President of the United States has seen proper to submit to us as a portion of the People—

We *Present* it, as our opinion, that the course pursued by President Jackson, since his elevation to office, has in many particulars disappointed the hopes and just expectations of his friends, and fulfilled the worst predictions of his enemies:

That his removal of the public funds, *upon his own responsibility*, from the place prescribed by law for their safe-keeping, and giving them to State Banks of doubtful standing, over which Congress has no control, is a flagrant and alarming stretch of Executive power, and evinces a great disregard of the true interests of the People:

That we cannot help believing that this unlawful act has produced the prevailing distress in our country; and that, with the exception of the punishment inflicted by the Autocrat of Russia, upon the conquered Poles, no nation in modern times has suffered so much misery from the hands of their own Government, as the American People;

That the obduracy and contempt with which the President has received the remonstrances and petitions of his afflicted fellow-citizens, show that his professions of regard for the *People* are insincere and illusive:

That his late Protest against the Senate of the United States asserts claims and pretensions which we believe never were asserted or pretended to before by the boldest advocates of a strong Federal Executive; and which we think never can be acknowledged by the People until the substance of Freedom is gone:

That these sentiments tend to cripple and curtail the powers of the Senate, and to bring that last shield of the Constitution into disrespect with the People:

We cannot, therefore, regard the act of making this appeal to the prejudices of the uninformed, and the feelings of all, in any other light than as revolutionary in its tendency, and dangerous to Liberty.

In conclusion, lest a silence on these subjects may be interpreted, by the President, into an acquiescence in his unauthorized claims of power—we recommend that the People of this County, and our fellow-citizens every where, give a prompt and undisguised answer to this call of the President, whenever a suitable occasion occurs.

Resolved, therefore, That we instruct our immediate Representative, the Hon. Lewis Williams, to use his best exertions to have the funds of the United States returned to the Bank of the United States; and that, if an opportunity offers, he will also use his influence to have the Bank re-chartered, with such modifications as may be deemed proper.

Resolved, further, That we will sustain the Senate of the United States in the position they have taken in defence of their constitutional rights.

Resolved, That this memorial be published in each of the newspapers of Salisbury; and their Editors are hereby requested to forward the paper containing it to the Hon. L. Williams and the Hon. W. P. Mangum.

Given under our hands:

WILLIAM POTTS, *Chairman;*

JAS. R. CAMPBELL,	ELIJAH CAMPBELL,
WM. R. McNEELY,	LIBITIUS GAITHER,
HENRY STEELE,	DAVID B. JOHNSON,
GEORGE DENNY,	ELIAM TEMPLETON,
JAMES McKNIGHT,	A. M. ADAMS,
W. PENDERGRASS,	ELIHU S. KING,
JAMES McNEELY,	JAMES LAZENBY,
ROBERT BOYD,	JAMES R. NEELY.

Rejection of the Protest!

IN THE SENATE OF THE UNITED STATES,
WEDNESDAY, MAY 7th, 1834.

The Senate proceeded to the consideration of the Special Order, being Mr. Poindexter's resolutions, as amended by Mr. Calhoun.

Mr. Webster spoke at length in favor of the resolutions as amended by Mr. Calhoun's resolutions.

Mr. Benton then rose and spoke in reply, and against the resolutions and amendment.

Mr. Poindexter said he had intended to have delivered his sentiments upon this occasion, but declined doing so, from a wish to get at the legislative business of the Senate. He asked that the question might be taken.

Mr. Webster asked that the question might be taken by yeas and nays; which were ordered.

Mr. Forsyth asked that the question might be taken separately; and, before doing so, he wished to make some remarks in reply to Mr. Webster.

Mr. Brown then (at a quarter past 4 o'clock) moved that the Senate adjourn.

Mr. Clay asked for the yeas and nays upon this motion; which were ordered; and the motion was negatived—Yeas 12, Nays 27.

Mr. Forsyth then spoke at some length in reply to Mr. Webster; to which Mr. W. rejoined.

The question was then taken on the adoption of the first resolution, to wit:

"*Resolved*, That the Protest communicated to the Senate, by the President of the United States, asserts powers as belonging to the President which are inconsistent with the just authority of the two Houses of Congress, and inconsistent with the Constitution of the United States."

This resolution was agreed to, as follows:

YEAS—Messrs. Bell, Bibb, Black, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Kent, Knight, Leigh, Moore, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Sprague, Swift, Tomlinson, Tyler, Waggaman, Webster—27.

NAYS—Messrs. Benton, Brown, Forsyth, Grundy, Hendricks, Hill, King of Alabama, King of Georgia, Linn, McKean, Shepley, Tallmadge, Tipton, White, Wilkins, Wright—16.

The question then recurred separately on each of the following resolutions:

"*Resolved*, That, while the Senate is and ever will be ready to receive from the President all such messages and recommendations as the Constitution and laws, and the usual course of public business, authorize him to transmit to it, yet it cannot recognise any right in him to make a formal protest against votes and proceedings of the Senate, declaring such votes and proceedings to be illegal and unconstitutional, and requesting the Senate to enter such protest on its Journals.

"*Resolved*, That the aforesaid protest is a breach of the privileges of the Senate; and that it be not entered on the Journals.

"*Resolved*, That the President of the United States has no right to send a protest to the Senate against any of its proceedings."

Each of these resolutions passed by the same vote as the first, viz. Yeas 27—Nays 16.

From the Petersburg Intelligencer of May 8.

The most terrific tornado ever witnessed in this part of Virginia, occurred on Monday last. The destruction of human life, and property of every kind, is truly appalling. It would be impossible to give more than a faint outline of its desolating fury. The scene is represented, by those who had an opportunity of witnessing it, as one of surpassing and inexpressible grandeur and sublimity. Every thing within its range was laid prostrate; the largest trees were torn up by the roots and carried a considerable distance; dwelling and out houses were levelled with the earth, and their fragments scattered in every direction. The day had been cloudy with occasional showers. About 3 o'clock, the clouds assumed a black and lowering aspect: In a few minutes after, the whirlwind commenced its ravages. A correspondent, who witnessed its violence, says, "It was in the form of an inverted cone, and every cloud seemed to rush into the vortex. As it approached, you might see the limbs of the forest careering through the darkened air. Its duration, at any point, was not more than one or two minutes." Its general course was from West to East: its width varied from two hundred yards to half a mile: and, from what we have already heard of its destructive march, its extent could not have been less than seventy miles. The following details will, we fear, present but a very imperfect sketch of its devastation.

A gentleman writes us that the tornado "appears to have commenced in the county of Lunenburg, near Hungry Town, where almost all the heavy timber was torn up by the roots, and where it proved very fatal. Near this place, it seems that the poor (who lived in log-houses) were the principal sufferers, several negroes and children being killed. Thence it passed to Nottoway Courthouse, where the storm, instead of abating, increased—the public road being rendered utterly impassable. From Nottoway Courthouse, or near that place, the wind, passing in a Northeast direction, reached the plantation of Mr. R. Fitzgerald, where great injury was done, but no lives lost. Near his residence was that of Mr. John Fitz, who suffered immensely, having one negro killed, and another's arm broken, and various others injured. Thence it pursued the same course to the house of Mr. Justice, where great injury was likewise sustained; several persons severely injured, and the life of one dispaired of. The next death was that of Mr. Joshua Hawks, an honest upright citizen, who was literally crushed to death, his wife at the same time receiving injury so severe as to leave but little hopes of recovery."

The next place from whence we hear any authentic particulars, is Curtis', (formerly Reese's) on Cox Road, where the storm appears to have been equally destructive. Mr. Curtis writes us, "that every house on Mr. Herbert Reese's plantation, except his dwelling house, is blown to atoms; Mr. Frank Reese, the Overseer, and three negroes, lost their lives; several other negroes badly crippled; his wagon, which was nearly new, hurled to atoms, even the wheels broken into fragments, and the hubs blown two or three hundred yards. Mrs. Jincy Crowder had every house on her farm, (dwelling house and all) torn down. Old farmer Reams lost every house except his dwelling house. No lives lost at either of the last named places. I understand, from a gentleman traveller, that it passed on in the neighborhood of Col. Jeter's. Several lives lost in that neighborhood. I also hear that it has done considerable damage in the neighborhood of Thomas Jordan's, with the loss of lives, &c. It appears that it passed from West to East, near on the North side, and nearly parallel with, Cox Road."

We have no certain account of the ravages of the tornado after it passed the neighborhood of Curtis', until it reached the plantation of Mr. William E. Boisseau, about four miles from town. The scene at this place baffles every attempt at description. Here its desolating fury spared nothing. The dwelling house, kitchen, barn, &c., separated into fragments, and scattered over the farm in every direction. Nothing is left to mark the site of the dwelling house, but a small portion of the brick foundation. The family escaped from the house, and attempted to take refuge in the garden, but were overtaken by the whirlwind, and knocked down by the flying wreck of their former dwelling. Mr. Boisseau's brother, a fine youth of about 14 years of age, was killed: and Mr. B., his wife, and four other inmates of the family, were wounded, but not dangerously. In the negro quarters, the injury was equally severe—one woman was killed, and six or eight others were wounded, one very dangerously. The loss sustained by Mr. B. is very great. The persons who have subsequently visited the place, describe it as though the genius of destruction had there made his temporary abode.

From Mr. Boisseau's, it passed along near the Southern boundary line of this town, without doing much injury, until it reached the plantation of Mr. Augustine Burge, in Prince George county. A friend has given us the following account of the devastation in that direction: "At Mr. Augustine Burge's, it blew down his stable, and almost all his negro houses; fortunately, no person was killed, but several were slightly hurt. At Hall's Field, the plantation of Mr. William Baird, every house was blown down except the dwelling, a two storied house near it, a kitchen or two, and the machine house. The wagoner, John, a faithful servant, was killed in the woods by the falling of a tree; the two horses in the wagon were also killed. At Hickory Hill, the residence of Mr. William Sands, Jr., a cotton gin, a stable, and kitchen, were blown down. There were two negro men in the kitchen, both of whom were badly hurt; one of them was carried with the wreck of the house at least fifty yards. So tremendous was the storm, that, from Walnut Hill, Mr. J. V. Wilcox's country residence, to Preston, the residence of Mrs. Ann Thweatt, you have a vista scarcely interrupted by a solitary tree, a distance of four or five miles. The forests, too, through which the tornado passed, were wooded with as majestic a growth as can be found probably in Virginia."

At Preston, the residence of Mrs. Ann Thweatt, there is not a house, except the dwelling and one small out house, left standing. One negro was killed, and ten or twelve wounded. A gentleman who has seen the effects of the storm on this plantation, says that it presents the appearance of having been visited by a heavy freshet.

We have no further particulars of its progress to the East, but we learn that it crossed the James River, between Tarbay and Coggins' Point.

By Friday Morning's Mail.

☞ The New York papers announce another Whig triumph!—In the CITY OF ALBANY, the Capital of the State, and the head-quarters of the Van Buren Regency party, the Whigs have succeeded in electing all their candidates for Supervisors, Assessors, Collectors, School-Inspectors, and Constables, by a majority of 565—FIVE HUNDRED and SIXTY-FIVE! Last year the Regency had a majority of 109. A change most ominous to the heir-apparent!

UNITED IN WEDLOCK,

In this County, on the 17th inst., by Adam Roseman, Esq., Mr. WILLIAM JOHNSTON to Miss SOPHIA LINGLE.

On the 13th March last, by Samuel King, Esq., Mr. MATTHEW WILSON, aged 67, to Miss MARTHA CLARK, aged 14 years—all of Buncombe county.

On the 27th March last, by the Rev. Mr. Kingsolving, Mr. JOHN SPEARS, aged 72, to Miss MARY STURDSON, aged 14 years—all of Albemarle county, Virginia.

DEPARTED THIS LIFE,

At his residence in this county, on the 5th instant, after a short illness, Mr. GEORGE HANES, a highly esteemed citizen, in the 54th year of his age.

ARRIVED AT FAYETTEVILLE:

May 3. Steamer John Walker, and Steamer Henrietta, with Dry Goods, Groceries, &c., for Evans, Horn & Co., Womack & Goodwyn, G. W. Langhorne, Banner & Jones, Jas. Clemmons, & Co., Benton Clemmons, John Long, Jr., Mebane, McIvor & Co., Hunt, Guins & Hunt, J. Dicks, Newlan & Farlow, T. Henshaw, Wm. Haywood & Co., S. & W. Moore, Cain & Kirkland, T. B. Crane, Mrs. S. Waddill, Waugh & Moore, Daniel H. Cress, A. Smith, J. J. Blackwood, W. & P. Adams, Smith & McNair, Rev. Mr. Darden, Mrs. S. Hill, D. McDiarmid, J. Cowles, of the interior.

Prices Current.

SALISBURY. [May 17, 1834.

Brandy, apple, 35 a 40; do. peach, 45 a 50; Bacon, 10; Butter, 10 a 000; Cotton in seed, 2½; do. clean, 9 a 00; Coffee, 17 a 18; Corn, 1,00 a 0; Feathers, 30; Flour, (scarce) $7 50; Flaxseed, $1; Molasses, 50 a 00; Nails, 8 a 10; Oats, 37½ a 40; Rye, 40; Sugar, brown, 10 a 12½; do. loaf, 18 a 20; Salt, $1,12½ a 1 25; Tallow, 0 a 10; Tobacco, 8 a 20; Wheat, (bushel) 80 a $1 00; Whiskey, 45 a 50.

CHERAW, S. C. [April 24, 1834.

Bacon 10 a 10½; Butter, 15 a 20; Beeswax, 16 a 17; Coffee, 14 a 15½; Cotton, new, 11 a 12½; Corn, 87, (very scarce;) Flaxseed, $1 00 a 1 25; Flour, $6 00 a 7 50; Mackerel, $6 50 a 9 00; Iron, 4½ a 5; Lard, 10 a 12½; Molasses, 40 a 50; Sugar, prime, 11½ a 12½; do. common, 9 a 10; do. loaf and lump, 15 a 18; Salt, in sacks, $3 00, bushel, 75; Tallow, (scarce) 10 a 12; Wheat, 90 a $1 00.

FAYETTEVILLE. [April 22, 1834.

Brandy, peach, 55 a 60; do. apple, 28 a 33; Bacon, 8 a 9; Beeswax, 17 a 18; Coffee, 12½ a 14; Cotton, 11 a 12½, Corn, 85 a 90; Flaxseed, $1 00 a $1 10; Flour, $4 75, a $5 75; Feathers, 34 a 36; Iron, 4½ a 5½; Molasses, 31 a 33; Nails, (cut) 6 a 6½; Sugar, brown, 8½ a 10; do. lump, 14; do. loaf, 16 a 18; Salt, 55 a 65; Wheat, 95 a $1 00; Whiskey, 30 a 35; Wool, 16 a 18.

DOCTORS { L. MITCHELL, AND R. M. BOUCHELLE,

HAVE entered into Co-Partnership in the practice of their Profession. Their Office is kept in the house heretofore occupied by Dr. Mitchell, opposite to Mr. Slaughter's Hotel.

Salisbury, May 17, 1834. 3

☞ A CARD.

DR. MITCHELL is anxious to close his former accounts, and respectfully requests those persons indebted to him to call at the Office of Mitchell & Bouchelle, and settle, by note or otherwise.

Salisbury, May 17, 1834. 3

New Tin Manufactory,
IN SALISBURY!

E. R. DINKHEAD

TAKES this method to inform his friends, and the public generally, both of town and country, that he has established himself on the Main Street, (about midway between Cade & Craige's Store and the Western Carolinian Printing-Office,) where he intends to carry on the manufacture of Tin-Ware in all its various branches.

He will always keep on hand every article in the line of his business; and, as all will be manufactured by himself personally, those who may feel disposed to favor him with their custom may rest assured that every article sold by him will be put together in a very superior manner.

☞ His prices will be as low as *good* tin-ware can possibly be afforded at by any one in this Town or State. Cash would always be preferred; but he will at all times be willing to exchange his wares for Feathers, Beeswax, Tallow, old Copper, old Pewter, &c. &c.

E. R. B. will be thankful for patronage; and respectfully invites purchasers to give him a call before they have laid in their stock elsewhere.

Salisbury, May 17, 1834.—tf

☞ Notice to Debtors!

ALL accounts due me, of twelve months' standing and upwards, must be settled before the 1st day of June next. JOHN JONES.

Salisbury, May 17, 1834. tf

Spring & Summer Fashions
FOR 1834.

HORACE H. BEARD, Tailor,
(SALISBURY,)

BEGS leave to inform his friends, and the public in general, that orders in his line will always be thankfully received by him, and executed in the most Neat, Fashionable, and Durable manner—on terms as reasonable as any in this section of country. H. H. B. hopes, from his long practice of his business, (a number of years of which time he resided in the city of Philadelphia,) and from the general satisfaction he has heretofore given to his numerous respectable and fashionable customers, to merit and receive a portion of the patronage of the public in general.

☞ He flatters himself that his CUTTING is *really* superior to any done in this State, as may be tested by the undisputed elegance of fit which attends garments made in his establishment. He is in the regular receipt of the Reports of the Fashions as they change both in the large cities of this country and of Europe—so that gentlemen may be satisfied that their orders will always be executed in the very latest style.

Orders from a distance will be attended to with the same punctuality and care as if the customer were present in person.

Salisbury, May 17, 1834.—1y

Valuable Real Property,
IN LINCOLN COUNTY,
FOR SALE.

The Subscriber, intending to remove to Alabama, OFFERS FOR SALE,

His Residence in Lincoln Co.

Including, in one body, about

One Thousand Acres
Of Real Good Farming Land,

On which is a fine

Brick Building,

constructed of the best materials, in fine taste, and good workmanship.—Also, all convenient Out-Houses, COTTON AND THRESHING MACHINES, Barns, Stables, &c.

—ALSO—

Another Tract of Land,

Lying on both sides of Dutchman's Creek, containing about

Eight Hundred Acres,

ALL FIRST RATE FOR ANY PURPOSES.

☞ The above Property will be sold on a credit of one, two, and three years.

In my absence, application may be made to my brother, J. Forney,

DANIEL M. FORNEY.

Lincoln Co., May 17, 1834. tf

BY AUTHORITY.

Law of the United States,

PASSED AT THE FIRST SESSION OF THE TWENTY-THIRD CONGRESS.

[PUBLIC, No. 6.]

Be it Enacted, by the Senate and House of Representatives of the United States of America, in Congress assembled, That there be issued, under the direction of the Secretary of the Treasury, a Register to the Brig American, a French vessel, which vessel was stranded on the coast of the United States, and purchased by James Taylor, of Savannah, Georgia, and by him repaired: *Provided* it shall be proven, to the satisfaction of the Secretary of the Treasury, that the cost of the repairs made in the United States, after the purchase of the said vessel by the present owner, exceeds three-fourths of the original cost of building a vessel of the same tonnage in the United States.

A. STEVENSON,
Speaker of the House of Representatives.
M. VAN BUREN,
Vice-President of the United States, and President of the Senate.

Approved: May 1st, 1834.
ANDREW JACKSON.

North-Carolina State
LOTTERY,
FOR THE BENEFIT OF
The Salisbury Academy.

1st Class—High and Low System.

To be Drawn at Salisbury,
On the 10th day of July.

Capital, $8,000!

SCHEME:

1 Prize of		$3,000	is	3,000
5	" of	1,000	is	5,000
4	" of	500	is	2,000
5	" of	300	is	1,500
10	" of	200	is	2,000
50	" of	100	is	5,000
60	" of	50	is	3,000
100	" of	20	is	2,000
250	" of	10	is	2,500
20,000	" of	4 70	is	94,000

20,485 Prizes, amounting to $120,000

☞ More Prizes than Blanks!

Whole Tickets..... $4
Halves..... 2
Quarters..... 1

Mode of Drawing:

This Scheme, founded on the High and Low System, has 40,000 Tickets, numbered from 1 to 40,000, inclusive. On the day of drawing, the 40,000 numbers will be put into one wheel, and all the prizes above the denomination of $4 70 in another: they will be drawn out alternately, that a number and then a prize, until all the prizes are drawn. From 1 to 20,000, inclusive, are low; and from 20,001 to 40,000, inclusive, are high. The prizes of $4 70 to be awarded to the high or low division, will be determined by that which may draw the capital prize of $3,000. The prizes of $4 70 will be payable in tickets in the next scheme—all other prizes payable in cash forty days after the drawing. All prizes subject to a deduction of fifteen per centum.

☞ Tickets, Shares, and Packages, to be had, in the greatest variety of numbers, at

Stevenson & Points' Office,
(White Row, Mansion Hotel,)
SALISBURY.

All orders from a distance, (post paid) enclosing the Cash, will be thankfully received and promptly attended to, if addressed to

STEVENSON & POINTS,
Managers, Salisbury, N.C.

May 17, 1834. tf

State of North Carolina:
MONTGOMERY COUNTY.

Court of Pleas and Quarter Sessions,
APRIL TERM, 1834.

William Butler, Executor of Joshua Butler, dec., and others, vs. Jones Moody, Catharine his wife, Martin A. Poor, Laura M. Poor, Susannah Poor, William Poor, John Poor, William Sugg, Elizabeth his wife, and Joshua Cochran, } Issue devisavit vel non, as to a paper writing offered for Probate, purporting to be the last Will and Testament of Joshua Butler.

IT appearing, to the satisfaction of the Court, that the above named Defendants are not inhabitants of this State: It is therefore Ordered, by the Court, that publication be made, in the Western Carolinian, for six weeks, for them to appear at the next Term of this Court, to be held for the County of Montgomery, at the Courthouse in Lawsonville, on the first Monday in July, 1834, and answer the said parties plaintiff to their proceedings, or the same will be heard ex parte as to them.

Test: JOHN [illegible]

May 17, 1834.

Estate Sale.

On Tuesday, the 17th day of June next,
I WILL SELL,
At the late residence of Gen. Peter Forney, dec'd.,

All the Personal Property,

NOT OTHERWISE DISPOSED OF,
CONSISTING OF
A variety of FARMING and Mechanical Tools;

A number of HORSES, MULES, CATTLE, and OXEN;
A quantity of Cast HOLLOW-WARE—together with Pig-Iron Banding, and a variety of OLD IRON and METAL.

—ALSO—

About Fifty Negroes,

Men, Women, and Children—among which are first-rate Hammerers, Refiners, Bloomers, Forge-carpenters, Blacksmiths, &c.

The sale will continue from day to day until the whole is disposed of.

Conditions: Twelve months' credit—bond and approved security required.

J. FORNEY, Executor.

☞ The Subscriber having qualified as Executor of the last will and testament of Peter Forney, deceased, gives notice to all persons having demands against the Estate to present them, legally authenticated, within the time prescribed by law, or this notice will be plead in bar of recovery;—and all persons indebted are requested to make immediate settlement. For the purpose of closing the accounts, I will attend at the Forge every Friday and Saturday, and every Tuesday and Wednesday at the Furnace, until the sale.

J. FORNEY, Executor.
Lincoln County, May 10, 1834. 4t

WESTERN CAROLINIAN OFFICE,
Salisbury, May 17, 1834.

WE are prepared to execute every kind of Printing in a very superior style, and our charges will be as reasonable as any. ☞ Orders from a distance will always meet the most prompt attention.

SELLING OFF
At Cost!

S. LEMLY & SON,

HAVING DETERMINED to CLOSE THEIR BUSINESS IN THIS PLACE,
With the view of removing to the State of Mississippi early in the ensuing Fall, beg leave to inform the Public generally that they

Have Concluded to Sell Off
THEIR STOCK OF GOODS,
CONSISTING OF
DRY-GOODS, HARD-WARE, CUTLERY, CROCKERY,
AND
ALL other ARTICLES generally kept on hand by Merchants in this part of the country,

At Cost, for Cash!

Their Stock is **Large, Complete,** and **New,** the whole having been purchased within the last twelve months.

☞ They respectfully invite their friends and customers, as well as the public in general, to call and examine the goods, as they are determined to give bargains such as they feel confident will give satisfaction to all who wish to purchase.

Salisbury, March 15, 1834.—tf

Land to be Sold,
FOR TAXES.

THE following Tracts of LAND, or so much of each as will satisfy the Tax due thereon, WILL BE SOLD, at the Courthouse in Salisbury,

On Monday the 19th of May next.

—NAMELY—

2½ Lots in the Town of Salisbury, given in by Samuel H. Pearson.
1 Lot in the Town of Salisbury, given in by Sarah Yarbrough.
295 Acres belonging to the Estate of the widow Creson, deceased.
233 Acres given in by Allen Crowell.
100 Acres belonging to the Estate of Edward Sheppard, deceased.
1000 Acres belonging to the Estate of Richard Parker, deceased.
560 Acres given in by Nicholas Rymer.
16 Acres belonging to Thomas Biles, given in by Daniel Biles.
87 Acres belonging to Rebecca Cook, given in by Thomas Cook.
100 Acres belonging to the Estate of Elizabeth Foster, deceased.
116 Acres belonging to Jacob Bostin of Iredell County.
100 Acres belonging to the Estate of John Dickey, deceased.
125 Acres given in by Manchester Johnston.
25½ Acres given in by Daniel Murph.
106 Acres given in by William Rainy.
22 Acres belonging to the heirs of Jno. Swink.
300 Acres given in by John Etchison, Guardian of the heirs of John Etchison, deceased. This Tract of Land lies in the Forks of the Yadkin, and adjoins the lands of Samuel Smith and others.

F. SLATER, *Sheriff.*
Salisbury, April 5, 1834.—7t [30c]

INFORMATION,
WHICH SOMEBODY WILL BE GLAD TO GIVE,
IS WANTED!

ABOUT ten years ago there lived in the Tenth Congressional District a REVOLUTIONARY SOLDIER, by the name of **Fawcet,** or **Forget,** or something of the kind.——If he has any heirs living, they may probably be put in a way to get a small sum of money, by applying to the Editor of THE WESTERN CAROLINIAN.
Salisbury, March 15, 1834. tf

Head-Quarters,
SALISBURY, 24th April, 1834.

THE OFFICERS composing the 63d Regiment of ROWAN MILITIA, are ordered to PARADE, in the Town of Salisbury, on Friday the 30th day of May next, at 11 o'clock, with muskets, for Drill.

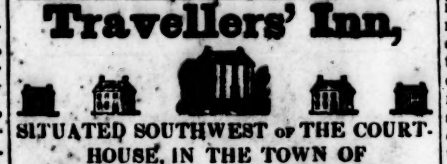
By Order of
S. LEMLY, Col. Com'dt.
B. CRAIGE, Adjutant.
Salisbury, April 26, 1834. 4t

Attention, Rowan Troopers!

YOU are ordered to PARADE, in the Town of Salisbury, on Thursday the 29th day of May next, at 10 o'clock, for Drill.

By Order of the Captain:
JAMES OWENS, O. S.
Salisbury, April 26, 1834. 4t

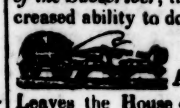
Travellers' Inn,



SITUATED SOUTHWEST OF THE COURT-HOUSE, IN THE TOWN OF
LEXINGTON, (N. CAROLINA.)

THE Subscriber takes this method of informing Travellers that he keeps a House of Entertainment in Lexington, (N. C.) on Main Street, Southwest of the Courthouse.

His Table will always be supplied with the best fare that a plentiful neighborhood can afford. His House being capacious, and attended by servants who are industrious and zealous to please, Travellers can always be accommodated with GOOD BEDS in rooms with fire-places. And last, but not the least important consideration, HORSES *will always receive such attention, in the Stable of the Subscriber,* that they may leave it with increased ability to do the service of the road.



An excellent Line of
Accommodation Stages
Leaves the House of the Subscriber, FOR SALISBURY, on the evenings of *Monday, Thursday,* and *Saturday,* and returns to Lexington on the succeeding evenings.

☞ Passengers going from South to North, by entering their names as far as Salisbury only, and there taking the Accommodation Line to Lexington, can have their choice, at the latter place, between the Piedmont Line and the one which runs by way of Fredericksburg.

JOHN P. MABRY
Lexington, March 8, 1834. 1y

New Tailor's Shop — **In Concord, No. Ca.**

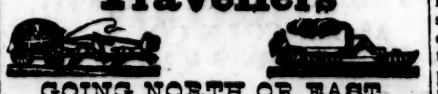
THE Subscriber informs his old customers and the public in general, that he has REMOVED TO CONCORD, where he has opened a Shop, in which the TAILORING BUSINESS in its various branches will be executed in the most fashionable, neat, and durable manner. He flatters himself that his skill in the business, and his constant personal attention in his establishment, will enable him to redeem all pledges made to those who may favor him with their custom.

☞ He receives the latest FASHIONS regularly both from New York and Philadelphia, and works by the most approved systems. Cutting out, and Orders from a distance, will be promptly attended to; and last, but not least, *his terms will be very accommodating.*

THOMAS S. HENDERSON.

N.B. *He is determined to do work in a style superior to any done in this part of the country, and* ALWAYS WARRANTED TO FIT WELL.
Concord, March 29, 1834. 6m

Travellers



GOING NORTH OR EAST,
BY TAKING
Pecks & Wellford's Stage,
AT SALISBURY, (N. C.)
(17 miles S. of Lexington,)

Will *now* arrive in Fredericksburg, (Va.) at 9 A. M. on the FOURTH DAY from Lexington, in time for the **Steamboat to Washington;** sleeping, the SAME NIGHT, in BALTIMORE—making

FOUR DAYS ONLY,
From Lexington, (N.C.) to Baltimore.

☞ Compare this with the speed of any other Line whatever.

PECKS & WELLFORD,
Proprietors of the old S.W. or Middle Route Line of Stages.
Fredericksburg, March 27, 1834.

N.B. Travellers from any point South of Salisbury, wishing to take this Line, should be *careful to enter to Salisbury only.*

P. & W.'s Stage leaves Salisbury immediately after the arrival of the Piedmont Stage from the South, viz. every SUNDAY, TUESDAY, and FRIDAY evening.

☞ Fare as low as by any other route. P. & W.
April 5, 1834. 2m

The Farmers' HOTEL.

THE Subscriber, being grateful for the flattering and increasing patronage he has heretofore received, informs his customers and the public that he is prepared to accommodate them AS WELL, and a *leetle* CHEAPER than any other Tavern in the place.

His **Table** and **Stables** shall at all times be supplied with the very best the market affords.

He has experienced and attentive Ostlers, and will spare no pains himself to render their stay agreeable. JOHN JONES.
Salisbury, April 12, 1834. tf

PROSPECTUS
OF THE
North Carolina Republican

IN a Government like ours, the preservation of Liberty depends, mainly, on a general diffusion of correct information among the people. If the people be ignorant of their rights, how can they guard them against encroachment?—Our forefathers achieved freedom at the price of much blood and treasure, and we, their sons, can preserve it only by enlightened watchfulness. As intelligence and vigilance are our greatest safeguards, so ignorance and apathy are the sources of the most danger. "Power is always stealing from the many to the few," and the reason is, that the many slumber while the few are silently at work. No free people ever yet lost their liberties by open assaults, but many have lost them by secret encroachments.

Ignorance among the people begets another evil, which, above all others, was the bane of the Ancient Republics; that evil is MAN-WORSHIP. History teaches us, that, wherever man-worship takes root, there political virtue dies, and sordid factions spring up—it corrupts the principles of Liberty, as *Idolatry* does pure Religion.

When our forefathers established the present form of Government, they fondly hoped that we would escape the fate of former Republics, and, under the wise checks and guards of a written Constitution, enjoy, through all time to come, the inestimable blessings of Freedom.—But now, at the end of the short period of forty-six years, what is our condition? We have already reached an alarming crisis in our political affairs,—the very principles of the Constitution are in imminent peril. We are in the midst of a revolution, silent, and as yet bloodless, but still rapid in its progress,—the barriers of the Constitution are broken down and trampled in the dust,—all the powers, whether of the sword or of the purse, are concentrating in the Federal Executive; and even Congress itself is outstripped in the race of usurpation. It is time for the people to awake from their apathy, and to look to their rights—if they slumber much longer, they will awake too late—their Government will be changed, and their Liberties gone.

For the purpose of aiding other papers in the State in diffusing correct information among the people, and to arouse them to a sense of their danger, it is proposed to publish, at the Office of the "Western Carolinian," a paper under the title which stands at the head of this Prospectus—to be printed on a large size sheet, in octavo form, of sixteen pages, corresponding in size with the "Examiner," edited in Philadelphia, by Condy Raguet.

1. The *North Carolina Republican* will advocate the doctrines of the old Republican party, as taught by Jefferson and his compatriots of 1798.

2. It will advocate the principles of Free Trade, and oppose all systems, or measures, which have a tendency to tax the many for the benefit of the few.

3. It will support a liberal policy in our State Government, and advocate all reasonable plans for the improvement of the natural and moral condition of North Carolina; and, with a view of enlightening and encouraging our own citizens by the example of others, pains will be taken to show what our sister States have done, and are doing, in works of improvement. Useful Statistics, connected with the great interests of the State, Agricultural, Commercial, and Mineral, will be procured and published in the Republican

4. A portion of each number will be occupied with important Congressional and Legislative proceedings, during the time those bodies may be in session; also with the latest and most interesting news of the day, foreign and domestic, and with such miscellaneous matter as may prove interesting to the general reader.

5. The question of *Convention,* or reform of the Constitution, has for thirty years divided the people, and arrayed one section of the State against the other; and, as a necessary consequence, has prevented the success of many measures vitally important to the honor and prosperity of North Carolina; and, until settled, it will continue to do so. It is not doubted that both parties are sincere and honest in their views; and the reason why they have so long differed, is, that neither party has ever yet been made fully acquainted with the just pretensions of the other; else this distracting question would, ere now, have been amicably adjusted. With the view, therefore, of giving to all the opportunity of "hearing both sides," it is agreed to lay before the public, in the pages of the Republican, the arguments for and against the measure; and, that this shall be done impartially, it will be so provided, that the arguments on one side shall be presented, by Western, and on the other by Eastern men. Nothing more effectually prevents liberal legislation, than sectional divisions and local jealousies—they distract the public mind, and destroy that community of feeling, and unity of action, so essential to the success of all schemes of improvement, whether physical or moral. Every real friend of North Carolina must therefore wish to see all cause of such divisions and jealousies removed, and to hail the day which shall find us one people, acting together for the general good and prosperity of the State.

6. In the proper season, correct tables of the Prices Current will be regularly given.

TERMS:

The North Carolina Republican will be published semi-monthly, that is, on the first and third Monday in each month, during the period of one year only, unless its patronage may be such as to demand its continuance. Each number will contain 16 pages, carefully put up, so that at the end of a year each subscriber will have a volume of 348 pages filled with interesting and useful matter.

The price of subscription is ONE DOLLAR, in all cases to be paid *in advance.*

The 1st No. will appear on the 3d Monday in MAY, should the subscription list justify the publication.

As the object of the publication is not to make money, but to support the rights of the people, an appeal is now made to the friends of Constitutional Liberty, to interest themselves in procuring subscribers.

All who may be good enough to procure subscribers, will, by the first day of May, communicate to the Publisher the names so procured, retaining the money in their hands until notified that the paper will certainly be published.

☞ All Letters and Communitions must be addressed (post paid) to the "North Carolina Republican," Salisbury, N.C.; where they will be promptly attended to.
January 15th, 1834. tdp

P. J. SPARROW
Proposes to Publish, in Salisbury, N. C.
A Monthly Magazine,
UNDER THE TITLE OF
The Family Assistant.

PROSPECTUS.

THE FAMILY ASSISTANT shall be dedicated to RELIGION, EDUCATION, and GENERAL LITERATURE. Especially it is intended to assist Parents in the difficult and highly important task of educating their families. The Editor has two very interesting associations under his charge—a Bible Class, and a General-Knowledge Class—for each of which he prepares written questions, and, for his own satisfaction, written answers. Should the proposed magazine go into operation, those questions and answers will be published in it. It will be the endeavor of the Editor to make the proposed publication as interesting as he possibly can—to fill its pages with such articles as shall be worth reading; and, as it will appear only once a month, each one who takes it, may find time to read it.—*The articles shall, in general, be short.* Such items of Foreign and Domestic Intelligence—secular as well as religious—as shall be deemed interesting, will be inserted. In fine, it is intended to make The Family Assistant minister profit and amusement for the long winter nights and sultry summer noons.

TERMS:

1. It will be issued on the 20th of every month—and will contain sixteen Imperial Octavo Pages, in double columns, printed on a new and legible type, and on very superior paper.

2. The subscription price will be One Dollar and Fifty Cents if paid in advance, and Two Dollars if not paid until the expiration of three months.

3. No subscription can be received for a shorter period than one year; and no paper discontinued until all arrearges are paid, except at the Editor's discretion.

4. ☞ The publication will commence on the 20th of April, provided a competent number of subscribers can be obtained; and our friends who may hold subscription lists, are requested to forward them on by the 1st of that month.

February 15, 1834. P. J. SPARROW.

Coach and Carriage Making,
AND REPAIRING.

J. W. Rainey & P. J. F. Shaver,
Coach and Carriage-Makers,

Respectfully inform the Public generally, that they have entered into Co-Partnership for the purpose of carrying on the above business in all its varieties, and that they have, for that purpose, taken the shop
FORMERLY OCCUPIED BY PHILIP JACOBS,
On the Main Street, opposite the old Jail.

☞ They have on hand a good supply of the best carefully-selected and well-seasoned Timber, and will always keep on hand, for sale,

STAGE-COACHES, CARRIAGES,
Carry-alls, Gigs,
SULKIES, &c.

Which shall not be surpassed by any in this section of country for neatness, durability, and cheapness.

☞ For the benefit of Travellers and Stage-Drivers, they will always keep on hand CARRIAGE-SPRINGS and all other fixtures necessary to put those vehicles in the most complete order; and every description of **REPAIRING** will be done at the shortest notice and on the lowest possible terms.

The Blacksmithing Business

The Subscribers have attached to their Carriage-Manufactory, a BLACKSMITH-SHOP, in which they employ none but first-rate workmen and the very best materials—which enables them to assure their friends and the public that all work done by them, in this line also, will be of superior quality, and as low-priced as any other executed in this section of country.

*** The Subscribers deem it hardly necessary to say that they will be thankful for a portion of the public favor; and they hope, by strict attention to business, and moderate charges, to *merit* the patronage of all who may wish to purchase articles kept for sale by them or jobs done in their line. JOHN W. RAINEY,
PHILIP J. F. SHAVER.
Salisbury, February 15, 1834. tf

TAILORING.

BENJAMIN FRALEY, having received the latest Philadelphia, New York, London, and Paris styles of FASHION, and having in his employ a number of Workmen who are first-rate, is prepared to cut and make work in a style superior to any done in this part of the country, and always warranted to fit.

Orders for Work in his line, from a distance, will be punctually attended to according to order; and all kinds of local custom-work will be done at the shortest notice and on reasonable terms.

He can be found, at all times, at his old stand, a few doors above Mr. Slaughter's Hotel, and nearly opposite Mr. John Murphy's store.

TO TAILORS.

Being Agent for some of the most Fashionable Tailors in New York, the Subscriber is prepared to teach or give instruction to any of the Trade who may desire to be more perfect in their business; and, from his belief that he is fully capable of giving satisfaction, he respectfully requests all who desire instruction to call on him.
Salisbury, 1834.—1y B. FRALEY.

SALISBURY
MALE ACADEMY.

The Third Session of the above Institution
WILL COMMENCE ON
THE FIRST DAY OF MAY.

THE Subscribers, thankful for past patronage, pledge themselves to enter upon the exercises of the next session with renewed zeal.

P. J. SPARROW,
T. W. SPARROW.
Salisbury, April 12, 1834. tf

Aaron Woolworth,

Watch and Clock Maker,

BEGS leave to inform the Citizens of Salisbury, as well as those of Rowan and the surrounding Counties, that he has

Removed his Establishment
TO THE SOUTH SIDE OF THE COURTHOUSE,
☞ A few doors above Mr. Wm. H. Slaughter's Hotel, on the Main Street,
Where he still continues, as heretofore, to execute
ALL KINDS OF WORK
in the line of his profession, at short notice,
And on the most reasonable terms.

WATCHES & CLOCKS REPAIRED BY HIM
WILL IN ALL CASES BE
Warranted for 12 Months!

And those disposed to patronize him, are assured that no pains will be spared to give the most general and entire satisfaction to them.

☞ ENGRAVING of every description, (including Tomb-Stones,) will be executed with neatness and accuracy, at short notice.
Salisbury, Jan. 27, 1834. tf

Opening of the Episcopal School DEFERRED.

IN consequence of the unusual inclemency of the past winter, the progress of the Building designed to serve as a Dormitory for the pupils in this Institution, has been retarded much beyond the expectations of the Executive Committee, under whose directions it was commenced in December last. And as the material of this structure is stone, the process of working in which is necessarily slow and greatly dependent on the weather, there is now no hope of its completion by the time heretofore specified for commencing the School.

This circumstance, together with the difficulty likely to be experienced in procuring in time from the North certain articles of furniture indispensable to the establishment, and the recently expressed opinion of the Rector, that, without the accommodations to be afforded by the new building, he would be unable to carry into successful operation the system adopted, has constrained the committee, however reluctantly, to postpone for a few weeks, the time for opening the School.

The Public, therefore, are respectfully informed that the EPISCOPAL SCHOOL WILL BE OPENED, (not on the first of April as before advertised, but) **on Monday, the 2nd day of June next;** at which time it may be confidently relied on that every thing will be in readiness.

By order of the Executive Committee,
GEORGE W. FREEMAN, Sec'y.
Raleigh, March 8, 1834. 8t

State of North Carolina..Rowan County.
Court of Pleas and Quarter Sessions,
February Term, 1834.

John Gibson, vs. Jacob Pachel. } Attachment—levied on Land.

IT appearing, to the satisfaction of the Court, that the Defendant is not an inhabitant of this State: *Ordered,* by the Court, that publication be made for six weeks, in the Western Carolinian, that the Defendant appear at our next Court of Pleas and Quarter Sessions to be held for the County of Rowan, at the Courthouse in Salisbury, on the third Monday in May next....then and there to plead, answer, or demur....or judgment will be taken by default, according to the Plaintiff's demand.

Witness, John Giles, Clerk of our said Court, at Office, the third Monday of February, 1834, and in the 58th year of our Independence.

JOHN GILES.
Salisbury, April 12, 1834. 6t

NOTICE.

THE undersigned has this day qualified as Executor of the last Will and Testament of Anderson Ellis, deceased, and hereby requests all persons having claims against said Estate, to present them for payment within the time prescribed by Law; and all those indebted are hereby requested to make payment.

JAMES ELLIS, Executor.
November 23, 1833. tf

FIRST RATE CARRIAGE FOR SALE---CHEAP.

THE Subscriber has just completed all the repairs necessary to a second-hand Carriage which has for some time past been in his possession for that purpose, and now OFFERS IT FOR SALE, in pursuance of instructions from the owner, who has no use for it.

The Carriage is now as good as when new, and can be seen at my shop by those desirous to purchase,

JOHN I. SHAVER.
December 2. tf

Charleston and Cheraw.

THE STEAM-BOAT MACON,
CAPT. J. C. GRAHAM,

HAVING been engaged, last Summer, in running between Charleston and Cheraw, calling at George-Town on her way up and down, will resume her Trips in the course of a few days, and is intended to be continued in the trade the ensuing season.

Her exceeding light draft of water, (drawing, when loaded, only about four and a half feet) will enable her to reach Cheraw at all times, except on an uncommonly low river, when her cargo will be lightered, at the expense of the boat.

J. B. CLOUGH.
Charleston, Sept. 26, 1831. tf
N.B. She has comfortable accommodations for a few passengers. J. B. C.